

ORIGINAL

FILED
LOS ANGELES SUPERIOR COURT

MAR 07 2008

JOHN A. CLARKE, CLERK
Stephanie Valente
BY STEPHANIE VALENTE, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

PEOPLE OF THE STATE OF CALIFORNIA, ex rel.
Maureen Gorsen, Director, California Department of
Toxic Substances Control,

Plaintiff,

v.

Trident Plating, a California Corporation, & Does 2 to
10,

Defendant.

CASE NO. ~~BC 339168~~ **BC 349076**

JUDGMENT AND
INJUNCTION PURSUANT TO
STIPULATION

(Calif. Health and Safety Code
sections 25181, 25189 and
25189.2)

Plaintiff, People of the State of California presented and filed with the Court a written Stipulation for Entry of Final Judgment (the "Stipulation," which is attached hereto as Exhibit A and incorporated by reference) entered by the People and Defendant Trident Plating. The Court, having reviewed the Stipulation and the other pleadings and records on file, finds that jurisdiction exists over this matter pursuant to Health and Safety Code sections 25181, 25189 and that good cause exists for entry of this Judgment.

IT IS HEREBY ORDERED that JUDGMENT is awarded in favor of Plaintiff and against Trident Plating on all causes of action, as specified in the Court's Order on Plaintiff's Motion for Summary Judgment, entered April 19, 2007 and that judgment is awarded against Trident Plating in the amount of \$285,000. Trident may pay the judgment and interest as specified in sections 6 and 8 of the Stipulation.

1. IT IS FURTHER ORDERED that Trident shall comply with the following provisions:

2.
3. a. *General.* Trident shall comply with all applicable requirements of the
4. HWCL, including those requirements specified in the Department's implementing
5. regulations, California Code of Regulations, tit. 22, § 66260.1 et seq.

6. b. *Cyanide Treatment.* Trident Plating shall not treat the cyanide component of
7. any hazardous waste in any manner requiring a hazardous waste facilities permit or other
8. grant of authorization unless Trident has a specifically applicable authorization to do so
9. pursuant to Health and Safety Code Section 25201, affiliated sections of the Health and
10. Safety Code or the implementing regulations. Trident shall not store any cyanide-
11. containing hazardous waste except as otherwise authorized by law or regulation.

12. c. *Closure of Cyanide Treating Units.* Trident Plating shall complete closure of
13. its cyanide treatment units and tanks within 180 days of the Effective Date of this
14. Stipulation.

15. d. *Mixing of Incompatible Wastes.* Trident shall comply with the monitoring
16. plan attached to the Preliminary Injunction with the following modification. Upon the
17. Effective Date of this Stipulation, Trident may reduce the frequency of independent
18. laboratory testing to once every other week. However any time Trident discovers any
19. amount of incompatible wastes in a tank, Trident shall begin weekly independent laboratory
20. testing of that tank, which weekly testing shall continue until for three consecutive weeks
21. the independent laboratory reports that there are no incompatible wastes in the tank, at which
22. time Trident may return to every-other-week independent laboratory testing for that tank.
23. The weekly testing requirement shall pertain only to the tank or tanks where the
24. incompatible wastes are found. Trident's obligation to comply with the monitoring plan
25. expires forty-eight months from the Effective Date of this Stipulation. However Trident may
26. petition the Department to have this requirement reduced or eliminated if Trident has
27. submitted 1) closure certification forms for its cyanide treatment unit, 2) all reports required
28. by the monitoring plan and 3) certification from an independent registered civil engineer that
Trident has installed a working zero discharge system.

1 e. *Tank Assessment.* Within six weeks of the Effective Date of this Stipulation
2 or within four weeks of installation of Trident's zero discharge wastewater treatment system,
3 whichever is sooner, Trident shall submit to the Department an integrated, comprehensive
4 tank assessment for all tanks and related ancillary equipment at the Trident facility in which
5 hazardous wastes are stored or treated (including the laboratory tank and the storage tank for
6 the air scrubber), amended to reflect the new treatment processes.

7 f. *Daily Tank Inspections.* Each working day, a corporate officer of Trident will
8 oversee Trident's tank inspection process and cosign the tank inspection form certifying the
9 accuracy of the form and that the inspections were done correctly. Trident shall record its
10 tank inspections on the tank inspection forms attached to the Preliminary Injunction as
11 Exhibit 2 or another form subsequently approved by the Department. This obligation expires
12 forty-eight months from the Effective Date of this Stipulation. However anytime after
13 twenty-four months from the Effective Date of this Stipulation, Trident may petition the
14 Department to be relieved of this obligation. That petition must include demonstrate that
15 Trident has been in continuous compliance with this paragraph and with the waste analysis
16 requirements of California Code of Regulations, title 22, § 66265.13 generally.

17 g. *Management of Change.* Effective immediately, on the first day of each
18 month, a corporate officer of Trident shall certify that Trident has made no changes in the
19 past month that would affect the accuracy of Trident's tank assessment or any other plan or
20 document required by the HWCL. Trident shall maintain those certifications as part of the
21 operating record required by California Code of Regulations, title 22, § 66265.73. This
22 obligation expires forty-eight months from the Effective Date of this Stipulation. However
23 anytime after twenty-four months from the Effective Date of this Stipulation, Trident may
24 petition the Department to be relieved of this obligation. That petition must demonstrate that
25 Trident has been in continuous compliance with this paragraph and with the HWCL
26 generally.

27 h. *Training.* Within three months of the Effective Date of this Stipulation,
28 Trident shall send all "facility personnel," as defined in California Code of Regulations, title
22, § 66260.10 who have not received comparable training within two years to California

1 Compliance School or a comparable program, to receive all of the training required by §
2 66265.16. Trident shall ensure that all facility personnel receive annual training and review
3 of requirements specified in § 66265.16.

4 i. *Training.* Trident shall ensure that all employees are given the hazardous
5 waste generation and management course at least once every twelve months and that new
6 employees receive the course within 30 days of beginning work at Trident. Trident was
7 obliged to develop this course by section 8 of the preliminary injunction. Training records
8 for current employees completing the course shall be kept until closure of the facility.
9 Training records on former employees completing the course shall be kept for at least three
10 years from the date the employee last worked at the facility.

11 j. *Petitions.* The Department shall grant or deny any petition authorized by this
12 Section 7 of the Stipulation at its sole discretion based on the certifications and
13 demonstrations submitted with the petition. The Department's determination to grant some
14 or all of a petition shall not require confirmation by the Court and shall be effective upon
15 written notice by the Department. To the extent feasible, Trident shall consolidate petitions
16 authorized by this Section 7 of the Stipulation and in no case shall Trident submit a petition
17 frequently than once per 120 days.

18 k. *Notice* Trident shall promptly, and no later than twenty-four hours after
19 discovery, notify the Department in writing in the event of any significant noncompliance
20 with the terms of this Stipulation including, but not limited to, monitoring data/test results

21 ///

22 ///

23 ///

24 ///

25 ///

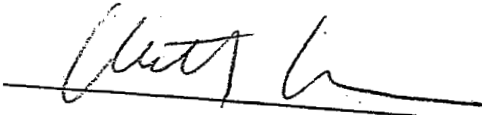
26 ///

27 ///

28 ///

1 that shows that incompatible waste were mixed in any hazardous waste tank system at Trident's
2 facility.

3 DATED: 3/7/08

4
5 
6

7 HON. RUTH A. KWAN

8 JUDGE OF THE SUPERIOR COURT

9 Prepared by:

10 EDMUND G. BROWN JR., Attorney General
11 of the State of California
12 TOM GREENE
13 Chief Assistant Attorney General
14 THEODORA BERGER,
15 Senior Assistant Attorney General
16 JAMES R. POTTER, State Bar No. 166992
17 OLIVIA KARLIN
18 Deputy Attorneys General
19 300 South Spring Street, Suite 500
20 Los Angeles, California 90013
21 Telephone: (213) 897-2637
22 Attorneys for Plaintiff
23
24
25
26
27
28

Trident Judgment 2008 Mar 5.wpd

EXHIBIT A

1 EDMUND G. BROWN JR.
Attorney General of the State of California
2 JANET GAARDE
Chief Assistant Attorney General
3 THEODORA BERGER
Senior Assistant Attorney General
4 DON ROBINSON
Supervising Deputy Attorney General
5 JAMES R. POTTER, State Bar No. 166992
OLIVIA KARLIN, State Bar No.
6 Deputy Attorney General
300 South Spring Street, Suite 1702
7 Los Angeles, CA 90013
Telephone: (213) 897-2637
8 Fax: (213) 897-2802

**EXEMPT FROM FILING FEES
GOVERNMENT CODE § 6103**

9 Attorneys for Plaintiff PEOPLE OF THE STATE OF
10 CALIFORNIA, ex rel. Maureen Gorsen, Director,
California Department of Toxic Substances Control

11
12 SUPERIOR COURT OF CALIFORNIA

13 COUNTY OF LOS ANGELES

14 CENTRAL BRANCH

15
16 **PEOPLE OF THE STATE OF**
17 **CALIFORNIA, ex rel. Maureen Gorsen,**
18 **Director, California Department of Toxic**
Substances Control,

19 Plaintiff,

20 v.

21 **Trident Plating, a California Corporation,**
and Does 1 to 10,

22 Defendant.

CASE NO. BC 349076

STIPULATION FOR SETTLEMENT
AND ENTRY OF JUDGMENT

(Calif. Health and Safety Code sections
25189 and 25189.2)

23
24 Plaintiff, People of the State of California, ex rel. Maureen Gorsen, Director, Department of
25 Toxic Substances Control ("the Department"), and Defendant Trident Plating ("Trident") enter
26 into this Stipulation for Settlement and Entry of Judgment ("Stipulation") and stipulate as
27 follows:
28

1 1. THE COMPLAINT

2 On March 16, 2006, the People of the State of California filed a Complaint for Civil
3 Penalties and Injunctive relief pursuant to the California Hazardous Waste Control Law, Health
4 and Safety Code sections 25100 et seq. ("HWCL") against Trident as an owner and operator of
5 the facility at 10046 Romandel Avenue, in Santa Fe Springs, California (the "Facility").

6 2. JURISDICTION

7 The Department and Trident agree this Court has subject matter jurisdiction over the
8 matters alleged in the Complaint and personal jurisdiction over Trident.

9 3. WAIVER OF HEARING AND TRIAL AND ENTRY OF JUDGMENT

10 By signing and entering into this Stipulation, Trident waives its right to a hearing and/or
11 trial under the Health and Safety Code on the alleged violations in the Complaint. Further,
12 Trident and the Department request this Court to enter Judgment in the form and substance set
13 forth in Attachment A to this Stipulation ("the Judgment").

14 4. SETTLEMENT

15 The Department and Trident jointly enter into this Stipulation pursuant to a compromise
16 and settlement of disputed claims for the purpose of avoiding prolonged and complicated
17 litigation and furthering the public interest. Time is of the essence in this Stipulation.

18 5. PREVIOUS ORDERS

19 a. *Stipulated Summary Judgment of Liability.* On April 19, 2007, the Court entered
20 a stipulated order granting Plaintiff's Motion for Summary Judgment of Liability. The
21 court had previously approved the parties' stipulation bifurcating the liability and penalty
22 phases of this case. A copy of that stipulation and order appears as Attachment B of this
23 Stipulation.

24 b. *Stipulated Preliminary Injunction.* On July 31, 2007, the Court entered the
25 parties' stipulated Preliminary Injunction re Hazardous Waste Management. A copy of that
26 order appears as Attachment C of this Stipulation.

27 6. CIVIL PENALTY

28 a. Trident has represented and provided supporting evidence that Trident does not

1 have the financial resources to pay the full gravity-based penalty in this matter and that in
2 response to this action Trident has invested significant funds to come into compliance with
3 the HWCL. In reliance on Trident's representations and certifications, the Department
4 agrees to set the penalty amount at an amount much less than the gravity and duration of
5 Trident's violations would otherwise warrant.

6 b. Trident shall pay the Department the total sum of \$285,000 (the "Settlement
7 Amount"), which includes \$ 41,120.00 as reimbursement of the Department's costs
8 incurred in connection with this matter and \$ 243,880 as Civil Penalty. The Settlement
9 Amount shall bear interest at the rate of 10% from the Effective Date of this Stipulation, as
10 specified in Code of Civil Procedure section 685.010. Trident shall pay the Settlement
11 Amount and Interest as specified in Section 8 of this Stipulation.

12 7. INJUNCTIVE PROVISIONS

13 a. *General.* Trident shall comply with all applicable requirements of the HWCL,
14 including those requirements specified in the Department's implementing regulations,
15 California Code of Regulations, tit. 22, § 66260.1 et seq.

16 b. *Cyanide Treatment.* Trident Plating shall not treat the cyanide component of any
17 hazardous waste in any manner requiring a hazardous waste facilities permit or other grant
18 of authorization unless Trident has a specifically applicable authorization to do so pursuant
19 to Health and Safety Code Section 25201, affiliated sections of the Health and Safety Code
20 or the implementing regulations. Trident shall not store any cyanide-containing hazardous
21 waste except as otherwise authorized by law or regulation.

22 c. *Closure of Cyanide Treating Units.* Trident Plating shall complete closure of its
23 cyanide treatment units and tanks within 180 days of the Effective Date of this Stipulation.

24 d. *Mixing of Incompatible Wastes.* Trident shall comply with the monitoring plan
25 attached to the Preliminary Injunction with the following modification. Upon the Effective
26 Date of this Stipulation, Trident may reduce the frequency of independent laboratory testing
27 to once every other week. However any time Trident discovers any amount of incompatible
28 wastes in a tank, Trident shall begin weekly independent laboratory testing of that tank,

1 which weekly testing shall continue until for three consecutive weeks the independent
2 laboratory reports that there are no incompatible wastes in the tank, at which time Trident
3 may return to every-other-week independent laboratory testing for that tank. The weekly
4 testing requirement shall pertain only to the tank or tanks where the incompatible wastes are
5 found. Trident's obligation to comply with the monitoring plan expires forty-eight months
6 from the Effective Date of this Stipulation. However Trident may petition the Department
7 to have this requirement reduced or eliminated if Trident has submitted 1) closure
8 certification forms for its cyanide treatment unit, 2) all reports required by the monitoring
9 plan and 3) certification from an independent registered civil engineer that Trident has
10 installed a working zero discharge system.

11 e. *Tank Assessment.* Within six weeks of the Effective Date of this
12 Stipulation or within four weeks of installation of Trident's zero discharge wastewater
13 treatment system, whichever is sooner, Trident shall submit to the Department an
14 integrated, comprehensive tank assessment for all tanks and related ancillary equipment
15 at the Trident facility in which hazardous wastes are stored or treated (including the
16 laboratory tank and the storage tank for the air scrubber), amended to reflect the new
17 treatment processes.

18 f. *Daily Tank Inspections.* Each working day, a corporate officer of Trident
19 will oversee Trident's tank inspection process and cosign the tank inspection form
20 certifying the accuracy of the form and that the inspections were done correctly. Trident
21 shall record its tank inspections on the tank inspection forms attached to the Preliminary
22 Injunction as Exhibit 2 or another form subsequently approved by the Department. This
23 obligation expires forty-eight months from the Effective Date of this Stipulation.
24 However anytime after twenty-four months from the Effective Date of this Stipulation,
25 Trident may petition the Department to be relieved of this obligation. That petition must
26 include demonstrate that Trident has been in continuous compliance with this paragraph
27 and with the waste analysis requirements of California Code of Regulations, title 22, §
28 66265.13 generally.

1 g. *Management of Change.* Effective immediately, on the first day of each
2 month, a corporate officer of Trident shall certify that Trident has made no changes in the
3 past month that would affect the accuracy of Trident's tank assessment or any other plan
4 or document required by the HWCL. Trident shall maintain those certifications as part of
5 the operating record required by California Code of Regulations, title 22, § 66265.73.
6 This obligation expires forty-eight months from the Effective Date of this Stipulation.
7 However anytime after twenty-four months from the Effective Date of this Stipulation,
8 Trident may petition the Department to be relieved of this obligation. That petition must
9 demonstrate that Trident has been in continuous compliance with this paragraph and with
10 the HWCL generally.

11 h. *Training.* Within three months of the Effective Date of this Stipulation,
12 Trident shall send all "facility personnel," as defined in California Code of Regulations,
13 title 22, § 66260.10 who have not received comparable training within two years to
14 California Compliance School or a comparable program, to receive all of the training
15 required by § 66265.16. Trident shall ensure that all facility personnel receive annual
16 training and review of requirements specified in § 66265.16.

17 i. *Training.* Trident shall ensure that all employees are given the hazardous
18 waste generation and management course at least once every twelve months and that new
19 employees receive the course within 30 days of beginning work at Trident. Trident was
20 obliged to develop this course by section 8 of the preliminary injunction. Training
21 records for current employees completing the course shall be kept until closure of the
22 facility. Training records on former employees completing the course shall be kept for at
23 least three years from the date the employee last worked at the facility.

24 j. *Petitions.* The Department shall grant or deny any petition authorized by
25 this Section 7 of the Stipulation at its sole discretion based on the certifications and
26 demonstrations submitted with the petition. The Department's determination to grant
27 some or all of a petition shall not require confirmation by the Court and shall be effective
28 upon written notice by the Department. To the extent feasible, Trident shall consolidate

1 petitions authorized by this Section 7 of the Stipulation and in no case shall Trident
2 submit a petition frequently than once per 120 days.

3 k. Notice Trident shall promptly, and no later than twenty-four hours after
4 discovery, notify the Department in writing in the event of any significant noncompliance
5 with the terms of this Stipulation including, but not limited to, monitoring data/test
6 results that shows that incompatible waste were mixed in any hazardous waste tank
7 system at Trident's facility.

8 8. PAYMENTS TO THE DEPARTMENT

9 a. Trident shall pay the Department the total sum of \$285,000 (the
10 "Settlement Amount"), which includes \$ 41,120 as reimbursement of the Department's
11 costs incurred in connection with this matter and \$ 243,880 as Civil Penalty. The
12 Settlement Amount shall bear interest at the rate of 10% from the Effective Date of this
13 Stipulation, as specified in Code of Civil Procedure section 685.010.

14 b. Payment of the Settlement Amount shall be made in 60 payments with the
15 first payment due on April 1, 2008 and subsequent payments due the first day of each
16 month thereafter until the requirements of this Section shall be fulfilled as follows:

- 17 i. Payments 1 through 10 shall be in the amount of \$1,500, principal
18 only;
19 ii. Payments 11 through 48 shall be in the amount of \$5,400, principal
20 only;
21 iii. Payments 49 through 60 shall be subject to the provisions of
22 paragraphs 8.d. and 8.e. below.

23 c. If Trident shall fail to pay, by the date due, any sum set forth in the
24 preceding paragraph, ^{unless cured timely as set forth below,} the Department, in its sole discretion, may declare that the total
25 Settlement Amount, minus credit for all sums paid, shall then be immediately due and
26 owing, without further notice. If any amount of the Settlement Amount becomes due
27 pursuant to this paragraph, Trident further agrees to pay interest on that amount at the
28 rate established pursuant to Health and Safety Code section 25360.1 and to pay all costs

JRP
1/19/08
CCT
1/18/08

1 incurred by the Department in pursuing collection including attorney's fees.

2 d. If, within four years of the Effective Date of this Stipulation, Trident
3 commits one or more Class One violations of the HWCL (as defined by California Code
4 of Regulations, title 22, section 66260.10), violates an injunctive provision of this
5 Stipulation or fails to make a timely payment required by this Stipulation, as those events
6 are described in this paragraph, then the Payments 49 through 60 shall become due as
7 scheduled; interest shall become due; current and accrued interest shall be equally
8 divided among Payments 49 through 60.

9 i. Payments 49 through 60 shall not be waived if, within four years
10 of the Effective Date of this Stipulation, Trident has committed
11 one or more Class One violations of the HWCL. (Any such
12 violation shall be known as a "Subsequent Violation.")

13 ii. Payments 49 through 60 shall not be waived if, within four years
14 of the Effective Date of this Stipulation, Trident has violated one
15 or more of the injunctive provisions specified in Section 7 of this
16 Stipulation. (Any such violation shall be known as a "Violation of
17 the Injunction.") This provision applies only to violations that if
18 alleged as a violation of the HWCL would be deemed a Class 1
19 violation independent of the injunction.

20 iii. Payments 49 through 60 shall not be waived if Trident has failed to
21 make any of Payments 1 through 48 on time and in full.

22 iv. For the purpose of this section, Trident shall be deemed to have
23 committed a Subsequent Violation or a Violation of the Injunction
24 only if one or more of the following occurs: Trident specifically
25 admits in writing to the violation, a court of law issues a final
26 determination of the violation, an enforcement order alleging the
27 violation becomes final, or an administrative law judge issues a
28 final decision finding that Trident committed the violation.

Nothing in this paragraph is intended to prohibit Trident from exercising its right to appeal any judicial or administrative finding.

v. In the event that Trident shall self-disclose any Subsequent Violation or violation of this Injunction, the Department may, in its sole discretion, elect to waive Payments 49 through 60.

e. In the event that within four years after the Effective Date of this Stipulation, Trident has not committed a Subsequent Violation or a Violation of the Injunction and has paid Payments 1 through 48 timely and in full, then the Department shall waive Payments 49 through 60 and the accrued interest and the judgment shall be deemed satisfied after Payment 48.

f. For the purposes of paragraphs 8.c., 8.d., and 8.e., Trident shall have four (4) opportunities to cure any untimely payment during the first 48 months. In order to cure any delinquent payment due under Paragraph 8.b. above, Trident shall deliver the requisite funds no later than 10 calendar days after said payment is due, and send written notice as required in Section 9 below.

g. A waiver of Payments 49 through 60 shall not be effective unless and until confirmed by the Department in writing as specified in Paragraph 10.a. of this Stipulation. If at the time Payment 49 is due, the Department has alleged a Subsequent Violation or a Violation of an Injunction but there has not yet been a final determination of that violation as required by Paragraph 8.d.iv. above, Trident shall put timely deposit each of the payments required by Paragraph 8.d. into an escrow account created for that purpose until there is a final determination on the allegation(s).

9. MANNER OF MAKING PAYMENTS

a. All payments required pursuant to this Stipulation shall be made by wire transfer or by certified or cashier's check, payable to the Department of Toxic Substances Control and shall bear the following notation: "Trident Plating, Site Code 601114."

b. Trident shall send all payments to:

Department of Toxic Substances Control
Accounting Office
1001 I Street
P.O. Box 806
Sacramento, CA 95812-0806
Attention: Karen Poon.

A copy of all payments shall be sent to :

Charles A. McLaughlin, Chief
State Oversight and Enforcement Branch
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

James J. Grace, Senior Staff Counsel
Office of Legal Counsel
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

If payment is by wire transfer, Trident shall utilize the California Treasurer's Wire Transfer program and send hard copy notifications of the payments to Messrs. McLaughlin and Grace at the addresses above.

c. Where a due date falls on a Saturday, Sunday or on a federal or state holiday, then the due date shall be the close of business on the next working day.

10. NOTICE

a. Unless otherwise specified in this Stipulation, all submissions and notices required by this Stipulation shall be sent as follows:

For the Department:

Charles A. McLaughlin, Chief
State Oversight and Enforcement Branch
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

James J. Grace, Senior Staff Counsel
Office of Legal Counsel
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

For Trident:

Trident Plating Inc.
Attn: Carlos Rodriguez
10046 Romandale Avenue
Santa Fe Springs, CA 90670

with a copy to:
John C. Szwed, Esq.
17001 Beach Blvd, Suite 831
Huntington Beach, CA 92647

b. All approvals and decisions of the Department regarding any matter requiring approval or decision under the terms of this Stipulation shall be communicated to Trident in writing by Charles A. McLaughlin or his successor or designee. No advice, guidance, suggestions or comments by employees or officials of the Department regarding submittals or notices shall be construed to relieve Trident of its obligations under this Stipulation, except as specified herein.

c. The Department will timely respond to all submissions required by this Stipulation. This paragraph shall not create a right of action against the Department or any government official, nor create any defense to any enforcement action brought by the Department or any other government agency.

11. SCOPE OF THIS STIPULATION AND JUDGMENT

a. This Stipulation shall constitute full settlement of the causes of action of the Complaint numbered One through Seven. This Stipulation does not settle any other violation of the HWCL or of any other law, nor restrict in any way the Department from taking appropriate enforcement action concerning any violations not specifically settled in this Stipulation. The Department represents that it has no present intention to charge Trident for any other current or past violations of the HWCL. The Department reserves the right to make additional charges in the event that new information or further analysis of existing information reveals additional violations of which the Department is not currently aware.

b. Except as expressly provided herein, nothing in this Stipulation shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of past, current, or future operations of Trident, including, but not limited to, all rights the Department may have to compel Trident to take, and/or pay the costs, of corrective action, removal actions, remedial actions or other environmental response actions. Nothing in this Stipulation is intended nor shall it be construed to

1 preclude the Department or any other government agency, department, board or entity
2 from exercising its authority under any law, statute or regulation.

3 c. This Stipulation and Judgment shall apply to and be binding upon the
4 Department and Trident and its officers, employees, agents, successors and assigns,
5 including executors and/or trustees of Trident. Trident shall give notice of this
6 Stipulation to any person or entity engaged in, or who will engage in, hazardous waste
7 management at the Facility.

8 d. There are no Third Party Beneficiaries to this Stipulation.

9 e. Trident shall maintain copies of this Stipulation, the Judgment entered
10 pursuant to this Stipulation, any modifications to that judgment, and all documents that
11 Trident creates to comply with this Stipulation in Trident's the operating record that
12 Trident is required to keep by California Code of Regulations, title 22, section 66265.73.

13 12. ENFORCEMENT OF THIS STIPULATION AND JUDGMENT

14 a. The Department will notify Trident at least two weeks before commencing
15 any action to enforce the injunctive provisions of the Stipulation. Upon a request by the
16 Trident, the Department will make appropriate staff persons available to meet with
17 representatives of the Trident within a reasonable time of sending out the notice.
18 Provided the meeting takes place within a reasonable time, the Department will not
19 commence the enforcement action until the meeting has taken place. For the purposes of
20 this paragraph, "actions to enforce the compliance conditions of the Stipulation" are
21 limited to issuance of a corrective action order pursuant to Health and Safety Code
22 section 25187, the filing of a civil complaint, or the commencement of a contempt action.
23 This paragraph shall not prevent the Department or any government official from taking
24 any action the Department or official deems necessary to prevent an immediate hazard to
25 public health or the environment. This paragraph shall not create a right of action against
26 the Department or any government official, nor create any defense to any enforcement
27 action brought by the Department or any other government agency.

28 b. Failure to comply with the terms of this Stipulation or of the Judgment

1 may also subject Trident to costs, penalties, and/or punitive damages for any costs
2 incurred by the Department or other government agencies as a result of such failure,
3 including penalties provided by Health and Safety Code section 25188. Should Trident
4 violate the HWCL in a manner that also violates a term of this Stipulation, any penalties
5 assessed for the violation the Stipulation shall be in addition to, and not in lieu of, any
6 penalty assessed for the underlying violation of the HWCL.

7 c. The Department's failure to seek enforcement of any provision of this
8 Stipulation shall not be deemed a waiver of any rights by the Department, or in any way
9 affect the validity of this Stipulation or the Judgment as to Trident in this matter.

10 d. Nothing in this Stipulation or the Judgment waives any right or authority
11 the Department has under law to enforce the provisions of the Department has to enforce
12 the Stipulation, the Judgment, the HWCL, its regulations or the terms of any license or
13 permit given thereunder.

14 13. DEPARTMENT NOT LIABLE

15 a. The Department shall not be liable for any injury or damage to persons or
16 property resulting from acts or omissions by Trident, its officers, employees, agents, or
17 representatives in carrying out obligations pursuant to this Stipulation, nor shall the
18 Department be held as a party to or guarantor of any contract entered into by Trident, its
19 employees, agents, or representatives in carrying out obligations required pursuant to this
20 Stipulation.

21 b. Trident releases the Department and the Office of the Attorney General,
22 and their employees, representatives and agents from any and all liability, in its official or
23 personal capacity, arising from or relating to this litigation or any inspection,
24 enforcement or permitting activity, or other regulatory action occurring up to the date of
25 the execution of this Stipulation. Trident further covenants not to sue or assert any
26 claims or causes of action against the Department or the Office of the Attorney General,
27 or its officers, employees, agents, or representatives in their official or personal capacities
28 arising from or relating to this litigation or any inspection, enforcement or permitting

1 activity, or other regulatory action occurring up to the date of the execution of this
2 Stipulation.

3 14. AUTHORITY TO ENTER STIPULATION

4 Each signatory to this Stipulation certifies that he or she is fully authorized by the party
5 he or she represents to enter into this Stipulation, to execute it on behalf of the party represented
6 and legally to bind that party.

7 15. RETENTION OF JURISDICTION

8 The Court shall retain jurisdiction to enforce the provisions of this Stipulation and
9 Judgment.

10 16. COMPLIANCE WITH APPLICABLE LAWS

11 Trident shall carry out their obligations in this Stipulation in compliance with all local,
12 state and federal requirements, including but not limited to requirements to obtain permits and to
13 assure worker safety.

14 17. REQUIREMENTS OF THE DEPARTMENT

15 The duties imposed on Trident by this Stipulation shall be construed to be requirements
16 of the Department issued pursuant to the HWCL.

17 18. INTEGRATION

18 This Stipulation constitutes the entire agreement between the Department and Trident
19 regarding the matters specifically covered herein. This Stipulation may not be amended or
20 supplemented except as provided for herein. The parties hereto acknowledge that there are no
21 representations, agreements, or understandings relating to this Stipulation other than those
22 expressly contained herein.

23 19. EQUAL AUTHORSHIP

24 This Stipulation and all of its provisions shall be deemed to have been drafted equally by
25 all parties hereto.

26 20. REQUESTS FOR EXTENSIONS OF TIME

27 With adequate notice, Trident may apply to the Department, in writing, for an extension
28 of any of the time periods specified in this Stipulation. The Department shall grant Trident'

request if just cause is shown and if the extension will not pose a significant threat to public health or the environment. If the Department does not timely approve an extension, Trident may apply to the Court for the extension.

21. AMENDMENTS TO STIPULATION AND JUDGMENT

Except as to extensions of time pursuant to section 20, this Stipulation may only be amended pursuant to a written agreement signed by all parties to the Stipulation followed by written approval of this Court.

22. COUNTERPART ORIGINALS

This Stipulation may be executed in several counterpart originals, all of which taken together shall constitute an integrated document.

23. EFFECTIVE DATE

The Effective Date of this Stipulation is the date the Judgment is entered by the Court.

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

1 24. ENTRY OF JUDGMENT PURSUANT TO STIPULATION

2 The parties further stipulate that upon approval of this Stipulation by the Court, the Court
3 shall enter the Judgment in this matter in the form set forth in Attachment A hereto.

4 IT IS SO STIPULATED:

5
6 Dated: _____, 2008 By: _____
7 Mr Gale Filter, Deputy Director
8 Enforcement and Emergency Response Program
9 Department of Toxic Substances Control

10 Dated: _____, 2008 By: _____
11 Mattie Rodriguez, President
12 Trident Plating

13 APPROVED AS TO FORM:

14
15 EDMUND G. BROWN JR., Attorney General
16 of the State of California
17 THEODORA BERGER, Assistant Attorney General
18 DONALD ROBINSON, Supervising Deputy Attorney General

19 Dated: _____, 2008 By: _____
20 JAMES R. POTTER
21 Attorneys for Plaintiffs,

22 Law Offices of Colin Swainston

23 Dated: _____, 2008 By: _____
24 COLIN SWAINSTON
25 Attorneys for Trident

26
27
28

ATTACHMENT A

1
2
3
4
5
6
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 IN AND FOR THE COUNTY OF LOS ANGELES
9

10 PEOPLE OF THE STATE OF CALIFORNIA, ex rel.
11 Maureen Gorsen, Director, California Department of
12 Toxic Substances Control,
13
14 Plaintiff,
15
16 v.
17
18 Trident Plating, a California Corporation, & Does 2 to
19 10,
20
21 Defendant.
22
23
24
25
26
27
28

CASE NO. BC 339168

JUDGMENT AND
INJUNCTION PURSUANT TO
STIPULATION

(Calif. Health and Safety Code
sections 25181, 25189 and
25189.2)

Plaintiff, People of the State of California presented and filed with the Court a written Stipulation for Entry of Final Judgment (the "Stipulation," which is attached hereto as Exhibit A and incorporated by reference) entered by the People and Defendant Trident Plating. The Court, having reviewed the Stipulation and the other pleadings and records on file, finds that jurisdiction exists over this matter pursuant to Health and Safety Code sections 25181, 25189 and that good cause exists for entry of this Judgment.

IT IS HEREBY ORDERED that JUDGMENT is awarded in favor of Plaintiff and against Trident Plating on all causes of action, as specified in the Court's Order on Plaintiff's Motion for Summary Judgment, entered April 19, 2007 and that judgment is awarded against Trident Plating in the amount of \$285,000. Trident may pay the judgment and interest as specified in sections 6 and 8 of the Stipulation.

1 IT IS FURTHER ORDERED that Trident shall comply with the following provisions:

2
3 a. *General.* Trident shall comply with all applicable requirements of the
4 HWCL, including those requirements specified in the Department's implementing
5 regulations, California Code of Regulations, tit. 22, § 66260.1 et seq.

6 b. *Cyanide Treatment.* Trident Plating shall not treat the cyanide component of
7 any hazardous waste in any manner requiring a hazardous waste facilities permit or other
8 grant of authorization unless Trident has a specifically applicable authorization to do so
9 pursuant to Health and Safety Code Section 25201, affiliated sections of the Health and
10 Safety Code or the implementing regulations. Trident shall not store any cyanide-
11 containing hazardous waste except as otherwise authorized by law or regulation.

12 c. *Closure of Cyanide Treating Units.* Trident Plating shall complete closure of
13 its cyanide treatment units and tanks within 180 days of the Effective Date of this
14 Stipulation.

15 d. *Mixing of Incompatible Wastes.* Trident shall comply with the monitoring
16 plan attached to the Preliminary Injunction with the following modification. Upon the
17 Effective Date of this Stipulation, Trident may reduce the frequency of independent
18 laboratory testing to once every other week. However any time Trident discovers any
19 amount of incompatible wastes in a tank, Trident shall begin weekly independent laboratory
20 testing of that tank, which weekly testing shall continue until for three consecutive weeks
21 the independent laboratory reports that there are no incompatible wastes in the tank, at which
22 time Trident may return to every-other-week independent laboratory testing for that tank.
23 The weekly testing requirement shall pertain only to the tank or tanks where the
24 incompatible wastes are found. Trident's obligation to comply with the monitoring plan
25 expires forty-eight months from the Effective Date of this Stipulation. However Trident may
26 petition the Department to have this requirement reduced or eliminated if Trident has
27 submitted 1) closure certification forms for its cyanide treatment unit, 2) all reports required
28 by the monitoring plan and 3) certification from an independent registered civil engineer that
Trident has installed a working zero discharge system.

1 e. *Tank Assessment.* Within six weeks of the Effective Date of this Stipulation
2 or within four weeks of installation of Trident's zero discharge wastewater treatment system,
3 whichever is sooner, Trident shall submit to the Department an integrated, comprehensive
4 tank assessment for all tanks and related ancillary equipment at the Trident facility in which
5 hazardous wastes are stored or treated (including the laboratory tank and the storage tank for
6 the air scrubber), amended to reflect the new treatment processes.

7 f. *Daily Tank Inspections.* Each working day, a corporate officer of Trident will
8 oversee Trident's tank inspection process and cosign the tank inspection form certifying the
9 accuracy of the form and that the inspections were done correctly. Trident shall record its
10 tank inspections on the tank inspection forms attached to the Preliminary Injunction as
11 Exhibit 2 or another form subsequently approved by the Department. This obligation expires
12 forty-eight months from the Effective Date of this Stipulation. However anytime after
13 twenty-four months from the Effective Date of this Stipulation, Trident may petition the
14 Department to be relieved of this obligation. That petition must include demonstrate that
15 Trident has been in continuous compliance with this paragraph and with the waste analysis
16 requirements of California Code of Regulations, title 22, § 66265.13 generally.

17 g. *Management of Change.* Effective immediately, on the first day of each
18 month, a corporate officer of Trident shall certify that Trident has made no changes in the
19 past month that would affect the accuracy of Trident's tank assessment or any other plan or
20 document required by the HWCL. Trident shall maintain those certifications as part of the
21 operating record required by California Code of Regulations, title 22, § 66265.73. This
22 obligation expires forty-eight months from the Effective Date of this Stipulation. However
23 anytime after twenty-four months from the Effective Date of this Stipulation, Trident may
24 petition the Department to be relieved of this obligation. That petition must demonstrate that
25 Trident has been in continuous compliance with this paragraph and with the HWCL
26 generally.

27 h. *Training.* Within three months of the Effective Date of this Stipulation,
28 Trident shall send all "facility personnel," as defined in California Code of Regulations, title
22, § 66260.10 who have not received comparable training within two years to California

1 Compliance School or a comparable program, to receive all of the training required by §
2 66265.16. Trident shall ensure that all facility personnel receive annual training and review
3 of requirements specified in § 66265.16.

4 i. *Training.* Trident shall ensure that all employees are given the hazardous
5 waste generation and management course at least once every twelve months and that new
6 employees receive the course within 30 days of beginning work at Trident. Trident was
7 obliged to develop this course by section 8 of the preliminary injunction. Training records
8 for current employees completing the course shall be kept until closure of the facility.
9 Training records on former employees completing the course shall be kept for at least three
10 years from the date the employee last worked at the facility.

11 j. *Petitions.* The Department shall grant or deny any petition authorized by this
12 Section 7 of the Stipulation at its sole discretion based on the certifications and
13 demonstrations submitted with the petition. The Department's determination to grant some
14 or all of a petition shall not require confirmation by the Court and shall be effective upon
15 written notice by the Department. To the extent feasible, Trident shall consolidate petitions
16 authorized by this Section 7 of the Stipulation and in no case shall Trident submit a petition
17 frequently than once per 120 days.

18 k. *Notice* Trident shall promptly, and no later than twenty-four hours after
19 discovery, notify the Department in writing in the event of any significant noncompliance
20 with the terms of this Stipulation including, but not limited to, monitoring data/test results

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 that shows that incompatible waste were mixed in any hazardous waste tank system at Trident's
2 facility.

3 DATED:

4
5 _____
6 HON.

7 JUDGE OF THE SUPERIOR COURT

8 Prepared by:

9 EDMUND G. BROWN JR., Attorney General
of the State of California

10 TOM GREENE

Chief Assistant Attorney General

11 THEODORA BERGER,

Senior Assistant Attorney General

12 JAMES R. POTTER, State Bar No. 166992

OLIVIA KARLIN

13 Deputy Attorneys General

300 South Spring Street, Suite 500

14 Los Angeles, California 90013

Telephone: (213) 897-2637

15 Attorneys for Plaintiff

16 Trident Judgment 2008 Mar 5.wpd
17
18
19
20
21
22
23
24
25
26
27
28

ATTACHMENT B

ORIGINAL FILED
APR 19 2007
LOS ANGELES
SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF LOS ANGELES

PEOPLE OF THE STATE OF CALIFORNIA, ex)	No. BC 349076
rel. Maureen Gorsen, Director, California)	
Department of Toxic Substances Control,)	[PROPOSED] ORDER ON
)	PLAINTIFF'S MOTION FOR
Plaintiffs,)	SUMMARY JUDGMENT ON
)	LIABILITY
v.)	
)	
Trident Plating, a California Corporation, and Does)	
1 to 10,)	
)	
Defendants.)	

On the stipulation of the parties, and good cause appearing therefor:

IT IS HEREBY ORDERED that the motion for summary judgment on liability is granted. Judgment on each Cause of Action is granted as follows.

1 NOTICED ISSUE 1: The First Cause of Action is established. From before October 26,
2 2004 until after June 1, 2006, Trident did not have proper tank integrity assessments for its two
3 tank systems, thereby violating California Code of Regulations, Title 22, Section 66265.192.

4 NOTICED ISSUE 2: The Second Cause of Action is established. On October 26, 2004,
5 Trident had illegally stored a gray bag of hazardous filter cake and a drum of hazardous filters
6 for over two years and on October 4, 2006, it had illegally stored two similar drums for 95 days,
7 thereby violating Health and Safety Code, section 25201.

8 NOTICED ISSUE 3: The Third Cause of Action is established. From before October 26,
9 2004 until after June 20, 2005, Trident managed incompatible hazardous wastes in a single tank
10 system, thereby violating California Code of Regulations, Title 22, Section 66265.31 and
11 66265.199.

12 NOTICED ISSUE 4: The Fourth Cause of Action is established. From before October
13 26, 2004 until after June 29, 2005, Trident managed incompatible hazardous wastes in adjacent
14 uncontained pipes, thereby violating California Code of Regulations, Title 22, Sections 66265.31
15 and 66265.193.

16 NOTICED ISSUE 5: The Fifth Cause of Action is established. From before October 26,
17 2004 until after August 8, 2005, and at least twice again on November 30, 2006, Trident failed to
18 properly inspect hazardous waste tanks, thereby violating California Code of Regulations, Title
19 22, Section 66265.195.

20 NOTICED ISSUE 6: The Sixth Cause of Action is established. From before October 26,
21 2004 until after July 1, 2006, Trident failed to train facility employees handling hazardous waste,
22 thereby violating California Code of Regulations, Title 22, Section 66265.16.

23 NOTICED ISSUE 7: The Seventh Cause of Action is established. From before October
24 26, 2004 until after October 26, 2005, and again on November 30, 2006, Trident failed to
25
26
27
28

1 properly analyze hazardous waste, thereby violating California Code of Regulations, Title 22,
2 Section 66265.13.

3 NOTICED ISSUE 8: The Eighth Cause of Action is established. Trident failed to
4 comply with a schedule for compliance issued pursuant to Health and Safety Code section
5 25187, which failure is a violation of Health and Safety Code Section 25188.
6

7 HON. HAROLD I. CHERNESS, JUDGE PRESIDING.

8 Original signed by the Honorable Harold I. Cherness

9 Dated: 4-19-07

Judge of the Superior Court

10 Submitted By:

11 EDMUND G. BROWN JR., Attorney General
12 of the State of California
13 TOM GREENE
14 Chief Assistant Attorney General
15 THEODORA BERGER
16 Senior Assistant Attorney General
17 DONALD ROBINSON
18 Supervising Deputy Attorney General
19 JAMES R. POTTER (State Bar No. 166992)
20 Deputy Attorneys General
21 300 South Spring Street
22 Los Angeles, California 90013
23 Telephone: (213) 897-2637
24 Attorneys for Plaintiff, People of the State of
25 California, ex rel Maureen Gorsen, Director,
26 California Department of Toxic Substances Control
27
28

ATTACHMENT C

COPY

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 TOM GREENE
Chief Assistant Attorney General
3 THEODORA BERGER
Senior Assistant Attorney General
4 DONALD ROBINSON
Supervising Deputy Attorney General
5 JAMES R. POTTER (State Bar No. 166992)
Deputy Attorneys General
6 300 South Spring Street
Los Angeles, California 90013
7 Telephone: (213) 897-2637
Fax Number: (213) 897-2802

8 Attorneys for Plaintiff, People of the State of
9 California, ex rel Maureen Gorsen, Director,
California Department of Toxic Substances Control

RECEIVED

JUL 23 2007

A. Caballero

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

12 IN AND FOR THE COUNTY OF LOS ANGELES

14 PEOPLE OF THE STATE OF CALIFORNIA, ex
15 rel. Maureen Gorsen, Director, California
Department of Toxic Substances Control,

16 Plaintiffs,

17 v.

18
19 Trident Plating, a California Corporation, and Does
1 to 10,

20 Defendants.

) No. BC 349076

) STIPULATION FOR ENTRY OF
) PRELIMINARY INJUNCTION RE
) HAZARDOUS WASTE
) MANAGEMENT AND [PROPOSED]
) ORDER

) Complaint filed: March 16, 2006
) Second Phase Trial Date: January 22,
) 2008

23
24 The parties – Plaintiff, the Department of Toxic Substances Control (“DTSC”), and
25 Defendant, Trident Plating (“Trident”), through their respective counsel of record – stipulate to
26 entry of a preliminary injunction governing Trident’s management of hazardous waste and
27 respectfully request the Court enter the attached order to that effect.
28

1.

STIPULATED PRELIMINARY INJUNCTION

June 29, 2007

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Background

DTSC filed this action on March 16, 2006, alleging that Trident was violating various provisions of California's Hazardous Waste Control Law, Health and Safety Code section 25100 et seq. ("HWCL"). On October 4, 2006, the Court bifurcated this matter into separate trials on liability and remedies. On April 19, 2007, pursuant to the parties' stipulation, the Court entered judgment in favor of plaintiff on the liability portion of the case. Trial on the penalty portion of the case is set for January 22, 2008. The parties are attempting to resolve the remedy portion of the case by negotiating a civil penalty, a permanent injunction, and other relief.

Stipulation

As part of their attempt to resolve the case, the parties respectfully request the Court to enter the attached stipulated preliminary injunction.

IT IS SO STIPULATED

EDMUND G. BROWN JR.
Attorney General of the State of California

Original signed by James R. Potter

JAMES R. POTTER
Deputy Attorney General
Attorneys for Plaintiff

7/23/07

Law Offices of Colin C. Swainston

Original signed by Colin C. Swainston

COLIN C. SWAINSTON
Attorneys for Defendant

7/27/07

This Order is binding on Trident Plating, its officers, employees and agents. Unless otherwise specified, these provisions will take effect upon entry of this Order by the Court and

1 shall continue until trial of the penalty portion of this matter or until other resolution of the
2 penalty portion of this matter.

3 **General**

4 1. Trident shall comply with all applicable requirements of the HWCL, including
5 those requirements specified in the DTSC's implementing regulations, California Code of
6 Regulations, tit. 22, § 66260.10 et seq.

7 **Mixing of Incompatible Wastes.**

8 2. Within four ^{to five} weeks of entry of this Order, Trident shall submit to the Department a
9 written explanation of the appearance of cyanide ions in Trident's acidic baths, rinse tanks, acid
10 waste collection tanks, and nickel waste collection tanks and the observation of low pH in
11 Trident's cyanide waste collection tanks. This written explanation shall also contain a
12 description of the corrective action(s) taken to prevent the reoccurrence of mixing incompatible
13 wastes. Alternatively, Trident may submit a written statement that Trident has investigated the
14 matter and cannot explain the source of the contamination. This written statement must also
15 describe the steps/actions taken to investigate and identify the source of contamination. Either
16 written statement shall include all sample and monitoring data collected during Trident's
17 investigation to determine the source of the contamination.

18 3. Trident shall comply with the monitoring plan attached to this order as Exhibit 1.
19
20 Twenty-four months from the entry of this order, Trident may petition DTSC to be relieved of
21 this paragraph 3. If Trident demonstrates that it has been in continuous compliance with this
22 paragraph and with the waste analysis requirements of California Code of Regulations, title 22, §
23 66265.13 generally, DTSC will grant that petition and send Trident written notification to that
24 effect.
25

26 **Tank Assessment**

JRT
7/23/07
ccf
7/17/07

1 4. Within six weeks of entry of this Order, Trident shall submit to the Department an
2 integrated, comprehensive tank assessment for all tanks and related ancillary equipment at the
3 Trident facility in which hazardous wastes are stored or treated (including the laboratory tank
4 and the storage tank for the air scrubber). The assessment may be based on the scope of work
5 that Trident's counsel forwarded to DTSC's counsel on June 22, 2007, provided that scope of
6 work is modified to reflect the comments DTSC's counsel sent to Trident on June 27, 2007.

7
8 Within ^{to three} two weeks of entry of this Order, Trident shall send to the Department a workplan for the
9 tank assessment. Trident does not need the Department's approval before implementing the
10 work plan. The assessment shall contain all information required by California Code of
11 Regulations, title 22, § 66265.192. For each secondary containment area, the assessment shall
12 demonstrate compliance with § 66265.193, and shall include without restriction the following: a
13 list of all hazardous waste stored within that containment area demonstrating that no
14 incompatible wastes will be stored in the containment area; information about the construction of
15 the containment demonstrating that the secondary containment is constructed or lined with
16 material that is compatible with the waste(s) stored within the containment area; and calculations
17 demonstrating that the secondary containment area has adequate volume, including the required
18 volume for rain water unless the area is designed and operated to prevent infiltration of
19 precipitation.
20

21
22 **Daily Tank Inspections**

23 5. Each working day, a corporate officer of Trident will oversee Trident's tank
24 inspection process and cosign the tank inspection form certifying the accuracy of the form and
25 that the inspections were done correctly. Trident shall record its tank inspections on the tank
26 inspection forms attached to this order as Exhibit 2. Twenty-four months from the entry of this
27

JRP
1/28/07
CJS
7/19/07

1 order, Trident may petition DTSC to be relieved of this paragraph 5. If Trident demonstrates
2 that it has been in continuous compliance with this paragraph and with the tank inspection
3 requirements of California Code of Regulations, title 22, § 66265.15 generally, DTSC will grant
4 that petition and send Trident written notification to that effect.

5
6 **Management of Change**

7 6. Effective immediately on the first day of each month, a corporate officer of
8 Trident shall certify that Trident has made no changes in the past month that would affect the
9 accuracy of Trident's tank assessment or any other plan or document required by the HWCL.
10 Trident shall maintain those certifications as part of the operating record required by California
11 Code of Regulations, title 22, § 66265.73.

12
13 **Training**

14 7. Trident shall send all "facility personnel," as defined in California Code of
15 Regulations, title 22, § 66260.10, to California Compliance School, or a comparable program, to
16 receive all of the training required by § 66265.16 within three months of entry of this Order.
17 Trident shall ensure that all facility personnel receive annual training and review of requirements
18 specified in § 66265.16.

19 8. Within three months of entry of this Order, Trident shall develop a course
20 specifically concerning hazardous waste generation and management at the Trident facility. The
21 object of the course shall be to ensure that Trident employees whose job description does not
22 include handling hazardous waste do not handle hazardous waste and that only those Trident
23 employees trained to handle hazardous waste do handle hazardous waste. The course shall also
24 include training and review of Trident's Contingency Plan so that whenever there is an imminent
25 or actual emergency situation, employees are knowledgeable regarding the types of internal
26
27
28

1 facility alarms and communications that may be utilized by the facility and the emergency
2 procedures for evacuation. Trident shall ensure that all employees are given the course at least
3 once every twelve months and that new employees receive the course within 30 days of
4 beginning work at Trident. Training records for current employees completing the course shall
5 be kept until closure of the facility. Training records on former employees completing the
6 course shall be kept for at least three years from the date the employee last worked at the facility.
7

8
9 IT IS SO ORDERED
10
11
12
13
14

JUDGE OF THE SUPERIOR COURT
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Exhibit 1

Draft Compliance Conditions
May 18, 2007

Monitoring for Incompatible Waste at Trident Plating

Incompatible waste has been found in Trident's hazardous waste tanks both by Trident and the Department. Trident must cease mixing incompatible waste in the hazardous waste tank system immediately.

In order to determine if incompatible wastes are being mixed in the hazardous waste tank system it is necessary to monitor the wastewater in the hazardous waste collection tanks and the discharge from the cyanide destruction tank. This monitoring program requires Trident Plating to conduct daily monitoring as part of the daily tank inspection program. Trident Plating may utilize their onsite laboratory to do the daily monitoring, but must use a contract laboratory to monitor the same tanks on a weekly basis.

Trident will keep the monitoring results as part of its operating record, and shall provide copies to the Department of Toxic Substances Control within 5 days of any written or verbal request.

Trident Plating Monitoring

All wastewater samples shall be representative of the volume and nature of the discharge. The time, date, and location of each grab sample shall be recorded on the sample daily tank inspection log form. Wastewater flow monitoring shall be conducted continuously using a flow meter and shall be reported in cumulative gallons per day.

Field test instruments (such as for the measurement of pH and cyanide) may be used provided that:

1. The operator is trained in the proper use of the instrument;
2. The instruments are field calibrated prior to each use;
3. Instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports shall be maintained for three years and will be made available to the Department's representative upon request.

Sample monitoring locations shall include the acid collection tanks nos. A1 to A7 and the Nickel collection tanks nos. N1 to N8. The acid and nickel collection tanks monitoring is as follows:

Trident Plating Acid and Nickel Collection Tank Monitoring

Trident Plating Acid Collection Tanks and Nickel Collection Tanks Monitoring Program				
Constituents	Units	Sample Type	Sample Frequency	Sample Reporting ^{2,3}
Effluent Flow ⁴	gallons	measurement	continuously	daily tank log
pH	standard units	measurement	continuously	daily tank log
Total Cyanide	mg/l	grab	daily ¹	daily tank log

¹Grab sample collection shall alternate between the morning (7:00 a.m. to 12:00 p.m.) and the afternoon work periods. (12:01 p.m. to 5:00 p.m.) such that every other work day the sample is representative of a different work period.

²If Trident Plating conducts any additional monitoring of the collection tanks then the monitoring results from those sample events shall also be noted in the daily tank log inspection report.

³Within 48 hours of detecting incompatible waste within any collection tank, Trident Plating shall submit a written report to the Department. The report shall include a copy of the daily tank inspection report covering the mixing incompatible waste, result of a sample monitoring data collected and shall describe the steps/corrective action taken or planned to prevent the reoccurrence.

⁴Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than ± 10 percent from true discharge rates throughout the range of expected discharge volumes.

**Trident Plating Cyanide Collection Tank and Cyanide Destruction Tank
Monitoring**

Sample monitoring locations shall include the cyanide collection tanks nos. C1 to C6 and the Cyanide Destruction Tank. The cyanide collection tanks and cyanide destruction tank monitoring is as follows:

Trident Plating Cyanide Collection Tanks Monitoring Program				
Constituents	Units	Sample Type	Sample Frequency	Sample Reporting ^{2,3}
Effluent Flow ⁴	gallons	measurement	continuously	daily tank log
pH	standard units	measurement	continuously	daily tank log
Total Cyanide	mg/l	grab	daily ¹	daily tank log

¹A sample shall be collected from the effluent discharged from the cyanide destruction tank and prior to mixing with any other waste stream.

²If Trident Plating conducts any additional monitoring of the cyanide collection tanks or cyanide destruction tank then the monitoring results from those sample events shall also be noted in the daily tank log inspection report.

³Within 48 hours of becoming aware that incompatible waste has been mixed in the cyanide collection tank or a release of cyanide waste from the destruction unit, Trident Plating shall submit a written report to the Department. The report shall include a copy of the daily tank inspection report covering the release, results of a sample monitoring data collected and shall describe the steps/corrective action taken or planned to prevent the reoccurrence

⁴Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than ± 10 percent from true discharge rates throughout the range of expected discharge volumes.

Independent Laboratory Acid and Nickel Collection Tank Monitoring

All wastewater samples shall be representative of the volume and nature of the discharge. The time, date, and location of each grab sample shall be recorded on the sample chain of custody form. Laboratories analyzing monitoring samples shall be certified by the Department of Health Services, and must include quality assurance/quality control data with their reports. Sample monitoring locations shall include the acid collection tanks nos. A1 to A7 and the Nickel collection tanks nos. N1 to N8. The acid and nickel collection tanks monitoring is as follows:

Independent Laboratory Acid Collection Tanks and Nickel Collection Tanks Monitoring Program				
Constituents	Units	Sample Type	Sample Frequency ¹	Sample Analysis Method ^{2,3}
Tank volume	gallons	measurement	weekly	measurement
pH	standard units	measurement	weekly	EPA 9040B
Total Cyanide	mg/l	grab	weekly	EPA 9010/9014

¹Sample collection shall alternate between the morning (7:00 a.m. to 12:00 p.m.) and the afternoon work periods. (12:01 p.m. to 5:00 p.m.) such that every other week the sample is representative of a different work period.

²If Trident conducts any additional monitoring of the collection tanks then the monitoring results from those sample events shall also be noted in the daily tank log inspection report.

³Within 48 hours of detecting incompatible waste within any collection tank, Trident shall submit a written report to the Department. The report shall include a copy of the daily tank inspection report covering the mixing incompatible waste, result of a sample monitoring data collected and shall describe the steps/corrective action taken or planned to prevent the reoccurrence.

Independent Laboratory Cyanide Collection Tank and Cyanide Destruction Tank Monitoring

All wastewater samples shall be representative of the volume and nature of the discharge. The time, date, and location of each grab sample shall be recorded on the sample chain of custody form. Laboratories analyzing monitoring samples shall be certified by the Department of Health Services, and must include quality assurance/quality control data with their reports. Sample monitoring locations shall include the cyanide collection tanks nos. C1 to C6 and the Cyanide Destruction Tank. The cyanide collection tanks and cyanide destruction tank monitoring is as follows:

Independent Laboratory Cyanide Collection Tanks and Cyanide Destruction Tank Monitoring Program				
Constituents	Units	Sample Type	Sample Frequency	Sample Analysis Method ^{2,3}
Tank volume	gallons	measurement	Weekly	Direct measurement
pH	standard units	measurement	Weekly	EPA 9040B
Total Cyanide ¹	mg/l	grab	Weekly ¹	EPA 9010/9014

¹ A sample for total cyanide shall be collected from the effluent discharged from the cyanide destruction tank and prior to mixing with any other waste stream.

² Additional monitoring of the cyanide collection tanks or the cyanide destruction tank shall also be noted in the daily tank log inspection report.

³ Within 48 hours of becoming aware that incompatible waste has been mixed in the cyanide collection tank or a release of cyanide waste from the destruction unit, Trident Plating shall submit a written report to the Department. The report shall include a copy of the daily tank inspection report covering the release, results of a sample monitoring data collected and shall describe the steps/corrective action taken or planned to prevent the reoccurrence.

Exhibit 2

Trident Plating, Inc.

"A Reputation for Excellence"

10046 Romandel Avenue

Santa Fe Springs, CA 90670-3424

July 3, 2007

Department of Toxic Substances Control
Statewide Compliance Division
8800 Cal Center Drive
Sacramento, California 95826-3200
Attn: Mr. Alex Baillie, Hazardous Substance Specialist

Dear Sir:

Trident Plating, Inc., is submitting some of our revised forms for inspection of the waste treatment and collection tanks, along with the revised plating tanks for the Gold & Silver areas.

I would appreciate it if you could respond so that the forms we will be using are considered relevant or acceptable by the DTSC.

Sincerely;

Original signed by L. Ian Holmberg

L. Ian Holmberg
Operations Manager

Telephone: 562-906-2556 Fax: 562-906-9686
E-Mail tridentplating@earthlink.net

TRIDENT PLATING, INC. MAINTENANCE SCHEDULE

Wastewater Cyanide Collection Tanks, Plating Area

Week Ending June 22, 2007								
Daily Collection Tank Inspection & Equipment Checklist, Etc.								
Activity	Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Remarks: LIST TANK NUMBER & Tank, Equipment Conditions Observed
Cyanide Main Collection Tank C-1								
Secondary Containment								
Tank Condition								
Equipment Condition								
Other/Pumps								
Signs of Corrosion and/or Leaking								
Sample & Sample Size Taken & pH								
Cyanide Collection Tank C-2								
Secondary Containment								
Tank Condition								
Equipment Condition								
Other/Pumps								
Signs of Corrosion and/or Leaking								
Sample & Sample Size Taken & pH								
Cyanide Collection Tank C-3								Tank is Not In Use Empty
Secondary Containment								
Tank Condition								
Equipment Condition								
Other/Pumps								
Signs of Corrosion and/or Leaking								
Sample & Sample Size Taken & pH								
Cyanide Collection Tank C-4								
Secondary Containment								
Tank Condition								
Equipment Condition								
Other/Pumps								
Signs of Corrosion and/or Leaking								
Sample & Sample Size Taken & pH								
Cyanide Collection Tank C-5								
Secondary Containment								
Tank Condition								
Equipment Condition								
Other/Pumps								
Signs of Corrosion and/or Leaking								
Sample & Sample Size and/or Leaking								
Cyanide Collection Tank C-6								
Secondary Containment								
Tank Condition								
Equipment Condition								
Other/Pumps								
Signs of Corrosion and/or Leaking								
Sample & Sample Size Taken & pH								
Scrubber Sump								
Secondary Containment								
Tank Condition								
Equipment Condition								
Other/Pumps								
Signs of Corrosion or Leaking								
Sample & Sample Size Taken & pH								
Daily Verification of Inspection By Trident Official								

Form WWT-331A

I, the undersigned, state that this is a true and honest report.

Accepted this date by:

Operator

Trident Management

Trident Plating, Inc.
10046 Romandel Avenue
Santa Fe Springs, CA 90670

Week Ending July 6, 2007

WASTEWATER TREATMENT AREA Maintenance Schedule/Operations Log										
Activity		Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Weekly Totals	Remarks: LIST TANK NUMBER AND CONDITIONS FOUND
Last Calibration Date:	1/19/2007									
Next Calibration Date:	7/19/2007									
CYANIDE DESTRUCT TANK T-5	500.00 Gallons									
Check Control Panel										
Adjust pH & ORP Settings as Required NOTE HEREIN										
		7:00 AM							Gallons	
LIST TIMES AND QUANTITIES PUMPED TO		9:00 AM							Gallons	
TANK 7		11:00 AM							Gallons	
Check & List Sodium Hypochlorite (Bleach)		1:00 PM							Gallons	
& Sodium Hydroxide Levels		3:00 PM							Gallons	
Sample Discharge Prior to being Pumped to Tank 7										
List pH and Cyanide Values, Provided by Trident's Chemist										
Secondary Containment Condition										
ACID DESTRUCT TANK T-6	500.00 Gallons									
Check & List Sulfuric Acid & Sodium Di-Sulfite Levels										
Adjust pH and Orp Settings as Required		7:00 AM							Gallons	
Note Adjustment Herein		9:00 AM							Gallons	
LIST TIMES AND QUANTITIES PUMPED TO		11:00AM							Gallons	
TANK 7		1:00PM							Gallons	
		3:00 PM							Gallons	
Check all Tanks & Note Daily for any Leaks, Corrosion, Equipment and/or Other Deficiencies as Noted										
Secondary Containment Condition										

The undersigned, states this is a true and correct statement.

Operator

Accepted by

WWT-330 Rev. D 06/24/2007

TRIDENT PLATING, INC., MAINTENANCE SCHEDULE
WASTEWATER CYANIDE COLLECTION TANKS, PLATING AREA

WEEK ENDING June 22, 2007		Daily Collection Tank Inspection & Equipment Checklist, Etc.							
Activity	Time	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Remarks	
Cyanide Main Collection Tank C-1	260 Gals								
Sample & Sample Size, Taken @									
List pH									
Cyanide Collection Tank C - 2	80 Gals								
Sample & Sample Size, Taken @									
List pH									
Cyanide Collection Tank C - 3	60 Gals							NOT IN USE EMPTY	
Cyanide Collection Tank C - 4	60 Gals								
Sample & Sample Size, Taken @									
List pH									
Cyanide Collection Tank C - 5	30 Gals								
Sample & Sample Size, Taken @									
List pH									
Cyanide Collection Tank C - 6	30 Gals								
Sample & Sample Taken @									
List pH									
Scribber Sump	90 Gals								
Sample & Sample Size, Taken @									
List pH									
ALL CYANIDE COLLECTION TANKS HAVE A SECONDARY CONTAINMENT OR DOUBLE WALL CONSTRUCTION									
ANY LEAKS OR SPILLS FOUND ARE LISTED IN THE REMARKS COLUMN									
EQUIPMENT, PUMPS AND OVERFILL EQUIPMENT CONDITIONS ARE ALSO LISTED <i>12.6.04</i>									
DAILY VERIFICATION OF INSPECTION BY A TRIDENT OFFICIAL									

Form WWT-05 Rev. 6

I, the undersigned, state that this is a true and honest statement

Accepted this date By:

Trident Management

Trident Plating, Inc.
10046 Romandel Avenue
Santa Fe Springs, CA 90670

Week Ending June 22, 2007

WASTEWATER TREATMENT AREA, Maintenance Schedule/Operations Log									
Activity									
Last Calibration Date:	1/19/2007	Time		Monday	Tuesday	Wednesday	Thursday	Friday	Weekly Totals & Remarks
Next Calibration Date:	7/19/2007								
Check Control Panel on	Metal Flocculation	7:00 AM							
Metal Flocculation Tank Number 7		9:00 AM							
Adjust pH as Required		11:00 AM							
		1:00 PM							
		3:00 PM							
Check and List Amount of Flocculant in Dispenser				#	#	#	#	#	Pounds
Check Sodium Hydroxide (50 %) and Sulfuric Acid Levels and List Quantity Herein									Gallons
Perform Metal Content Test Prior to Discharge									Gallons
List Color									Color ?
Give Sample to Chemist for Analysis									
Twice Daily, Note Time									
Check all Tanks & Note any Leaks, Corrosion or Other Deficiencies in Remarks									List Findings:
Verify DAILY pH Recording on the Sample Box Note Here & on Chart Paper		9:00 AM		pH	pH	pH	pH	pH	
		2:00 PM		pH	pH	pH	pH	pH	
Flush Effluent to Filter Press Daily After Chemist's Okay									
List Time Effluent is Discharge to Filter Press									Time Sent to Filter Press ?
Check Filtrate Tank for Condition Note Herein									
Check Equipment & Corrosion Level And Note Herein Daily									
Change Chart Paper on pH Recorder as Required									List Date
Clean Filters as Required on Monthly Basis									List Date
INSPECTION VERIFIED DAILY BY:									

The undersigned, states this is a true and correct statement,

Operator

Accepted by

WWF-332, Rev. A 04/18/2007

Trident Plating, Inc.
10046 Romandel Avenue
Santa Fe Springs, CA 90670-3424
Tel 562-906-2556 Fax 562-906-9686

	A	B	C	D	E	F	G	H	I	J
1	Daily, Weekly, Monthly,									
2	Semi-Annual and Annual Inspection Reporting Form									
3	Harrington Scrubber Model ECV 8-95									
4	Daily Inspection	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Weekly	Monthly	Semi-Annual
5										
6	Record FlowMeter Reading 350 GPM, Indicate Reading									
7	Inspect and Clean Sump Filter									
8	Verify Operation of Float Valve									
9	Operate Ball Valves									
10	Write in pH Reading									
11	Calibrate pH Probe to 7.0 & 10.0, if Required									
12	Record Static Pressure 1.50 - 3.0									
13	Inspect Spray Nozzle Pattern									
14	Record Pressure Drop Reading									
15	Inspect Sump Heater Operation									
16	Verify Low Level Sump Switch Operation									
17	Record Sump Equipment Condition									
18	Record Sump Containment Condition									
19	Record Transfer to Cyanide Destruct Tank from Sump in Gallons									
20	Check Water Make-up Rate									
21	System Cleaning									
22	Inspect FlowMeter Paddlewheel Assembly									
23	Check Pump Motor Amps									
24	Clean and Inspect Pump Motor									
25	Inspect Packing Face for Build-up									
26	Inspect Packing for Build-Up									
27	Inspect Mist Eliminator for Build-Up									
28										
29	Inspection Verified By Trident Officer									
30										

This is a true and honest report!

Report by: _____

Report is accepted by _____

Trident Plating, Inc.
10046 Ramoncel Avenue
Santa Fe Springs, CA 90670-3124
Tel 562-906-3556 Fax 562-906-9686

TANK	TANK NAME	CAPACITY	SECONDARY CONTAINMENT	Daily Check of Tanks, Piping and Connections. Note for Leaks, Corrosion, with EARTH CHEMICAL COMPONENTS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	REMARKS
GOLD PLATING LINE											
1	BAKITE 90 (Direct, Reverse)	155.00 Gal	NOISE								E = Empty 1/2 F = 1/2 Full Full = F
2	RINSE (DRAG-OUT)	25.00 Gal	NOISE								
3	RINSE	25.00 Gal	NOISE								
4	HURITATIC 10%	40.00 Gal	YES								Hydrochloric Acid = 6 gallons
5	RINSE	25.00 Gal	YES								
6	NICKEL STRIKE	40.00 Gal	YES								Nickel Chloride = 25 lbs.; Hydrochloric = 4 gallons
7	RINSE (DRAG-OUT)	25.00 Gal	YES								
8	RINSE	25.00 Gal	YES								
9	SULFURIC ACID	140.00 Gal	YES								Hydro Sulfuric = 85 gal; Nickel Chloride = 25 lbs.; Boric Acid = 50 lbs.
10	RINSE (DRAG-OUT)	25.00 Gal	YES								
11	RINSE	25.00 Gal	YES								
12	NICKEL BRIDGE	140.00 Gal	YES								Nickel Sulfamate = 80 gal; Nickel Bromide = 20 lbs.; Boric Acid = 50 lbs.
13	COPPER CYANIDE PLATE	140.00 Gal	YES								Copper Cyanide = 45 lbs.; Potassium Cyanide = 13 lbs.; Potassium Hydroxide = 4 lbs.
14	RINSE (DRAG-OUT)	25.00 Gal	YES								
15	RINSE	25.00 Gal	YES								
16	RINSE	25.00 Gal	YES								
17	GOLD STRIKE (Amalgam Tin)	40.00 Gal	NOISE								Amalgam Tin Gold Strike = 25 tray ounces
18	RINSE	25.00 Gal	NOISE								
19	GOLD (PAG-402)	25.00 Gal	NOISE								Pur-A-Gold (PAG 402) = 24 tray ounces
20	RINSE	25.00 Gal	NOISE								
21	GOLD (AUROREX CI)	25.00 Gal	NOISE								AUROREX CI Gold = 24 tray ounces
22	RINSE	25.00 Gal	NOISE								Not In Use
23	GOLD (CR-434)	25.00 Gal	NOISE								Not In Use
24	RINSE	25.00 Gal	NOISE								Not In Use
25	GOLD (T-20)	25.00 Gal	NOISE								Not In Use
26	RINSE	25.00 Gal	NOISE								Not In Use
27	GOLD (ORANGE 88)	25.00 Gal	NOISE								Orange 88 Gold = 24 tray ounces
28	RINSE (DRAG-OUT)	25.00 Gal	NOISE								
29	RINSE	25.00 Gal	NOISE								
30	ACIDIC TIT	155.00 Gal	NOISE								Potassium Permanganate = 75 lbs.; Potassium Hydroxide = 10 lbs.
31A	RINSE (COUNTER-FLOW)	25.00 Gal	NOISE								
31B	RINSE (COUNTER-FLOW)	25.00 Gal	NOISE								
32	RINSE (COUNTER-FLOW)	25.00 Gal	NOISE								
33	ACID COPPER	40.00 Gal	YES								Copper Sulfate Pentahydrate = 20 lbs.; Sulfuric Acid = 3 gal.
34	RINSE	25.00 Gal	YES								
35	RINSE	25.00 Gal	YES								Not In Use
36A	SPRAY RINSE	25.00 Gal	NOISE								
36B	SPRAY RINSE	25.00 Gal	NOISE								
37C	HOT WATER RINSE	40.00 Gal	NOISE								
I, the undersigned, acknowledge, that I have found no signs of corrosion, leaks, or drips, or spills of hazardous wastes, from the tanks, or on the floor, during my daily inspection of the tanks listed herein, and further acknowledge my responsibility to report any and all findings to the responsible parties for handling the same. I have also noted the level of waste in the Rinse Tanks.											

Acknowledged:

Date: Week Ending July 8, 2007

Form Approved by:

Form 10-62-21-203

Trident Plating, Inc.
10046 Remondel Avenue
Santa Fe Springs, CA 90670-3424
Tel. 562-906-2550 Fax 562-906-9689

TANK	TANK NAME	CAPACITY	SECONDARY CONTAINMENT	Daily Check of Tanks, Piping and Containment Areas for Leaks, Corrosion, etc. with BATH CHEMICAL COMPONENTS List all Leaks, Corrosion in Remarks	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	REMARKS
E = Empty 1/2 F = 1/2 Full F = Full											
SILVER PLATING LINE											
37	RINSE	15.00 Gal	YES	NOT IN USE							
38	RINSE	25.00 Gal	YES	NOT IN USE							
39	COPPER CYANIDE STRIKE	120.00 Gal	YES	Copper Cyanide=39 lbs., Potassium Cyanide=11 lbs. EMPTY							
40	RINSE (DRAIN-OUT)	15.00 Gal	YES	NOT IN USE							
41	RINSE	25.00 Gal	YES	NOT IN USE							
42	COPPER CYANIDE PLATE	140.00 Gal	YES	Copper Cyanide=45 lbs; Potassium Cyanide=13 lbs; Potassium Hydroxide=4 lbs.							
43	SILVER PLATE	100.00 Gal	YES	Silver Potassium Cyanide=151 lbs; Sodium Potassium Cyanide=100 lbs.							
44	RINSE (DRAIN-OUT)	15.00 Gal	YES	NOT IN USE							
45	RINSE	25.00 Gal	YES	NOT IN USE							
46	SILVER PLATE	100.00 Gal	YES	Silver Potassium Cyanide=151 lbs; Sodium Potassium Cyanide=100 lbs. EMPTY							
47	RINSE (DRAIN-OUT)	15.00 Gal	YES	NOT IN USE							
48	RINSE	25.00 Gal	YES	NOT IN USE							
49	RINSE	25.00 Gal	YES	NOT IN USE							
50	RINSE (DRAIN-OUT)	25.00 Gal	YES	NOT IN USE							
51	SILVER PLATE	100.00 Gal	YES	Silver Potassium Cyanide=151 lbs; Sodium Potassium Cyanide=100 lbs.							
52	SILVER STRIKE	50.00 Gal	YES	Silver Potassium Cyanide=225 lbs; Sodium Potassium Cyanide=30 lbs.							
53	RINSE (DRAIN-OUT)	15.00 Gal	YES	NOT IN USE							
54	RINSE	25.00 Gal	YES	NOT IN USE							
55	NICKEL PLATE (BATT.)	75.00 Gal	NO	Nickel Sulfate=17 lbs; Nickel Chloride=14 lbs; Boric Acid=25 lbs. EMPTY							
56	RINSE (DRAIN-OUT)	15.00 Gal	NO	NOT IN USE							
57	RINSE	25.00 Gal	NO	NOT IN USE							
I, the undersigned, acknowledge, that I have found no signs of corrosion, leaks, and/or dripping, or spill of Hazardous Wastes, from the tanks, or on the floor, during my daily inspections listed herein, and further acknowledge my responsibility to report any and all findings to the responsible parties for handling the same. I have also noted the level of Waste in the Rinse Tanks.											

Acknowledged:

Date: Week Ending July 8, 2007

Form Accepted by

Form 101022-1-2007